# IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

| CITIGROUP GLOBAL MARKETS INC., d/b/a<br>SMITH BARNEY, | ) |                           |
|---|---|---------------------------|
| Plaintiff,  | ) | Case No. 08-C-2175        |
| V.  | ) | Judge Matthew F. Kennelly |
| PAUL OBLON,   | ) | Magistrate Judge Cole     |
| Defendant.  | ) |                           |

### STIPULATION OF DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by the parties hereto, through their undersigned attorneys, that pursuant to Fed. R. Civ. P. 41(a), this action is hereby dismissed in its entirety without prejudice, each party to bear its own costs.

#### AGREED:

## CITIGROUP GLOBAL MARKETS INC., PAUL OBLON d/b/a SMITH BARNEY

| By: /s/Daniel M. Hinkle | By: /s/John D. Burke (with consent) |
|-------------------------|-------------------------------------|
| Gary M. Miller          | John D. Burke                       |
| Daniel M. Hinkle        | Joan G. Ritchey                     |
| GRIPPO & ELDEN LLC      | ICE MILLER LLP                      |
| 111 South Wacker Drive  | 200 W. Madison, Suite 3500          |
| Chicago, IL 60606       | Chicago, IL 60606                   |
| (312) 704-7700          | (312) 726-8148                      |

#### **CERTIFICATE OF SERVICE**

I, Daniel M. Hinkle, an attorney, certify that on July 16, 2008, I caused a true and correct copy of the foregoing **STIPULATION OF DISMISSAL WITHOUT PREJUDICE** to be served via Electronic Mail Transmission via ECF as to Filing Users, and by U.S. Mail, postage prepaid, to non-Filing Users, upon the following counsel:

John D. Burke Joan G. Ritchey ICE MILLER LLP 200 W. Madison, Suite 3500 Chicago, IL 60606 (312) 726-8148

Pete S. Michaels, Esq. Michaels, Ward & Rabinovitz, LLP 12 Post Office Square 4th Floor Boston, MA 02109

/s/ Daniel M. Hinkle